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Report of the Trade and Development Board on its twenty-first special session*

Geneva, 14 May 2004

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Attendance

I. Substantive preparations for the eleventh session of the Conference

Report of the Preparatory Committee

1. The **President of the Board**, speaking in his capacity as **Chairman of the Preparatory Committee**, reported on the work of the Committee and presented the results of that work, namely the draft UNCTAD XI negotiated text (TD(XI)/PC/CRP.7 and Add.1). After hearing reports by the Permanent Representative of India on the chapeau and subthemes 1,2 and 4 and the Permanent Representative of the Philippines on subtheme 3, the Preparatory Committee had approved document TD(XI)/PC/CRP.7, with some amendments, ad referendum. He informed the Board that he would draw the attention of the Committee of the Whole at UNCTAD XI to the concerns of Paraguay, speaking on behalf of the landlocked countries, with regard to paragraph 33 of document TD(XI)/PC/CRP.7. He also requested delegations to give consideration to the question of what the text would be called, for example São Paulo Consensus, São Paulo Agreement or São Paulo Accord.

Action by the Board

2. The Board decided to transmit the draft UNCTAD XI negotiated text (TD(XI)/PC/CRP.7)[1] to the Conference. Concerning the annex on multi-stakeholder partnerships in document TD(XI)/PC/CRP.7/Add.1,[2] the Board requested the secretariat to update the document in consultation with interested delegations, and to submit the final version to the Conference. It also requested the Conference to take note of the multi-stakeholder partnerships launched at the Conference and to decide to annex the corresponding text to the final negotiated text.

3. The Board mandated the President of the Board to use his good offices to try to make further progress on the draft negotiated text before the Conference, to invite all interested parties to participate in the exercise, and to report to the Committee of the Whole at the Conference on progress made.

Statements

4. The representative of **Jamaica**, speaking on behalf the **Group of 77 and China**, said that the PrepCom had reason to be quite pleased with its work. Nevertheless, some of the most difficult hurdles still lay ahead, because the outstanding paragraphs dealt with issues that would define the character of the outcome of the Conference for the Group of 77 and China, including policy space, institutional issues, corporate responsibility and governance. The flexibility of his Group had been tested on cross-cutting issues such as globalization and the role of the State, as well as on a large number of specific issues. The matters on which agreement still had to be reached included issues that were of fundamental developmental importance to his Group and that were critical to UNCTAD's institutional role and mandate. The resolution of these issues must be consistent with UNCTAD being able to function independently,

[1] Subsequently reissued as document TD/368.

[2] Subsequently reissued as document TD/368/Add.1.

effectively, and in a balanced manner across and within all three pillars of its mandate. Any other outcome would not be acceptable. The Group of 77 and China also attached importance to the attachment to the negotiated text of the relevant annexes relating to subtheme IV.

5. Concerning the informal consultations on outstanding issues prior to the Conference, they should be fully transparent, all outstanding issues should be addressed, and any agreements should be reported to UNCTAD XI for consideration by all members.

6. There were two issues that his Group had omitted to raise and which would involve additions to existing paragraphs in order to provide for technical assistance in two areas. They would be tabled at an appropriate time. The Group also intended to pursue the matter of innovative financial mechanisms in the hope of finding acceptable language.

7. The representative of the **Islamic Republic of Iran**, speaking on behalf of the **Asian Group and China**, said that the text being transmitted to the Conference was a particularly significant one, since it would determine the direction of UNCTAD's work in the next four years. A multilateral consensus could be achieved only if all major concerns and interests were reflected properly and if all the parties were in a position to offer a certain flexibility on issues and language. The Conference would have to address the remaining important issues, including policy space, governance, UNCTAD's contribution to the UN reform process and the follow-up to major UN conferences, interagency collaboration and coercive unilateral measures. It was hoped that it would be possible to find new elements to shape the document in a way that would reflect a realistic image of the outcomes of globalization and international trade negotiations, whilst also taking into account the development needs of developing countries.

8. The representative of **Paraguay**, speaking on behalf of the landlocked developing countries, said that the landlocked developing countries were among the poorest countries in the world. The General Assembly had called for the effective implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, and it was important that UNCTAD contribute to that implementation.

9. The representative of **Senegal**, speaking on behalf of the **African Group**, said that it would be important to reach agreement on a good paragraph on debt.

10. The representative of **Algeria** said that the main theme of the Conference should be reflected on the front page of the negotiated text.

II. Other matters

Certificate of origin of the generalized system of preferences

Action by the Board

11. The Board approved the proposed amendments to the GSP certificate of origin Form A, as contained in document TD/B(S-XXI)/2.

Strategic framework for the biennium 2006-2007

Action by the Board

12. The Board, having been informed that the strategic framework for the biennium 2006-2007 would have to be reviewed by the Working Party on the Medium-term Plan and the Programme Budget before the Conference in order to meet the deadline for submission of the strategic framework to the CPC, decided that a draft strategic framework would be made available to delegations by 19 May, that the following week there would be informal consultations, and that the Working Party would meet formally at the end of May or the beginning of June to approve the text, which would be forwarded to the CPC upon adoption of the negotiated text by UNCTAD XI.

III. Organizational matters

Adoption of the agenda

13. The Board adopted the provisional agenda contained in document TD/B(S-XXI)/1. The agenda was thus as follows:

1. Adoption of the agenda and organization of the work of the session
2. Organization of the work of the eleventh session of the Conference:
   - (a) Selection by drawing of lot of the country that will head the seating pattern at the eleventh session of the Conference
   - (b) Outstanding organizational matters
3. Substantive preparations for the eleventh session of the Conference
   - Report of the Preparatory Committee
4. Institutional, organizational, administrative and related matters:
   - (a) Preparations for the review by the eleventh session of the Conference of the lists of States annexed to General Assembly 1995 (XIX)
   - (b) Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board
   - (c) Designation of and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure of the Board
   - (d) Provisional calendar of meetings for the remainder of 2004 and draft schedule of meetings for 2005
5. Other business
6. Adoption of the report of the Board

Selection by drawing of lot of the country that will head the seating pattern at the eleventh session of the Conference

14. In accordance with established practice, Trinidad and Tobago was drawn by lot to be first in the alphabetical order to be used for seating arrangements at UNCTAD X.

Provisional calendar of meetings for the remainder of 2004 and draft schedule of meetings for 2005

15. The Board adopted the draft calendar for the remainder of 2004 and part of 2005 (TD/B(S-XXI)/CRP.1).[3]

Adoption of the report of the Board

16. The Board authorized the Rapporteur to prepare the report on its twenty-first special session under the authority of the President.

[3] Subsequently reissued as document TD/B/INF.200/Rev.1.

Annex

ATTENDANCE[4]

1. Representatives from the following States members of UNCTAD attended the session:

Algeria
Angola
Argentina
Australia
Bahrain
Bangladesh
Belarus
Belgium
Benin
Bhutan
Bolivia
Botswana
Brazil
Bulgaria
Cameroon
Canada
China
Côte d'Ivoire
Croatia
Cuba
Czech Republic
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Finland
France
Gabon
Germany
Greece
Honduras
Hungary
Iceland
India
Indonesia
Iran (Islamic Republic of)
Israel
Malaysia
Malta
Mauritius
Mauritania
Mexico
Mongolia
Mozambique
Myanmar
Nepal
Netherlands
New Zealand
Nicaragua
Nigeria
Oman
Pakistan
Panama
Paraguay
Peru
Philippines
Poland
Portugal
Republic of Korea
Republic of Moldova
Romania
Russian Federation
Saudi Arabia
Senegal
Singapore
Slovakia
Slovenia
South Africa
Spain
Sri Lanka
Sudan
Switzerland
Syrian Arab Republic
Switzerland
Thailand
Trinidad and Tobago

[4] For the list of participants, see TD/B(S-XXI)/INF.1.

Italy
Japan
Jordan
Kenya
Kuwait
Latvia
Lebanon
Libyan Arab Jamahiriya
Lithuania
Luxembourg
Madagascar
Tunisia
Uganda
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Uruguay
Venezuela
Yemen
Zambia
Zimbabwe

Observers

Bosnia and Herzegovina
Brunei Darussalam
Cambodia
Holy See
Kazakhstan

2. The following intergovernmental organizations were represented at the session:

African, Caribbean and Pacific Group of States
African Union
Common Fund for Commodities
European Commission
Organisation Internationale de la Francophonie